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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT LARRY EDER, JUSTIN
 WESLEY YAGER, and BRYAN D.
 RANDALL,

Plaintiffs,

v.

L. RYAN BRODDRICK, Director,
 California Department of Fish and Game;
 MICHAEL FLORES, President, California
 Fish and Game Commission; et al.,

Defendants.

No. C-07-0206-JSW

**[STIPULATED] REQUEST BY THE
 PARTIES FOR ORDER OF STAY OF
 PROCEEDINGS**

Pursuant to Civil L.R. 7-12, the parties, through their undersigned counsel, stipulate as follows:

1. This case involves a constitutional challenge to an agency action by members of the California Fish and Game Commission and the Director of the Department of Fish and Game agency, in their individual capacities, for damages and other relief under the U.S. Constitution and 42 U.S.C. § 1983;

2. Plaintiffs in this case have also filed a Petition for Administrative Mandamus Or Mandate and Complaint for Declaratory and Injunctive Relief in the Superior Court for the State of California, San Francisco County (Case No. 06-506862) against the California Fish and Game

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Commission and its members and the Director of the Department of Fish and Game, in their official capacities, challenging the revocation of their State of California Dungeness crab permits;

3. The parties agree that the case of *Gilbertson v. Albright*, 381 F.3d 965 (9th Cir. 2004) provides the basis for application of *Younger* abstention principles to this Federal case in light of Plaintiffs pending state action and note that, in a prior case (Case No. C-06-06008 JSW), this Court entered a dismissal of an injunctive action involving the same parties on the basis of *Younger* abstention;

4. The parties further agree that the ruling in *Gilbertson v. Albright* requires this Court in this damages action to stay all further proceedings pending the outcome of the state action referenced in paragraph 2, above, until all state court proceedings are finished.

5. Therefore, the parties hereby stipulate and request that that all further proceedings in this case be stayed pending further order of this Court.

Date: Feb. 23, 2007

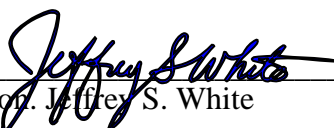
/s/ James P. Walsh
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Date: Feb. 23, 2007

/s/ Peter K. Southworth
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PURSUANT TO STIPULATION, IT IS SO ORDERED:

Date: February 28, 2007


Hon. Jeffrey S. White